UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/C.3/48/10
12 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
THIRD COMMITTEE
Agenda item 111

ADVANCEMENT OF WOMEN

United Nations International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women

Note by the Secretariat

1. The purpose of the present note is to provide clarifications with respect to a number of issues raised in the position paper on "Proposal for the INSTRAW/UNIFEM merger" submitted by the Government of the Dominican Republic (A/C.3/48/6, annex).

2. With regard to paragraphs 4 and 5 of the position paper, the Secretary-General welcomed the recommendation of the Board of Trustees of INSTRAW for the establishment of a Task Force to advise him on the elaboration of a proposal which he, in the exercise of his responsibilities, intended to submit to the appropriate intergovernmental bodies for their consideration and action. In the interests of cost-effectiveness, the Secretary-General considered that the Task Force should be limited in size. The selection of two representatives each from the INSTRAW Board of Trustees and the Consultative Committee of UNIFEM, and communication with their membership, was left to the discretion of the two entities, in consultation with the respective chairpersons. The report of the Task Force (E/1993/82, annex) was submitted to the Secretary-General with its unanimous endorsement.

3. With regard to the points raised in paragraphs 6 and 20, INSTRAW is a subsidiary body of the United Nations in terms of Article 7, paragraph 2, of the Charter of the United Nations. The future of the Institute is, accordingly, a matter of concern of all Member States. Ultimate decisions on the matter are the prerogative of the relevant principal organs of the Organization, taking into account all relevant factors. Consultations with the host country had properly to follow relevant intergovernmental deliberations, as represented by the consideration of the Secretary-General's report (E/1993/82) at the

substantive session of the Economic and Social Council of 1993, at which the Dominican Republic was represented by an observer, and relevant intergovernmental action in Council decision 1993/235.

4. Following the adoption by the Council of decision 1993/235 on 27 July 1993, and a first review by the Secretariat, during the month of September, of the administrative, financial and legal implications, as requested by the Council in the decision, the Secretary-General wrote to the President of the Dominican Republic on 1 October 1993 seeking the cooperation of the authorities of the Dominican Republic in pursuing this matter. Subsequently, senior representatives of the Secretary-General undertook consultations with the authorities of the Dominican Republic in Santo Domingo and New York.

5. With regard to the points raised in paragraph 6 and in paragraph 21 concerning the need for a prior revision of the Headquarters Agreement, any required amendment/revision of the Agreement, rather than being a prerequisite, can properly be addressed only following the relevant intergovernmental decisions.

6. Conclusions on financial implications, as contained in paragraph 20 of the Secretary-General's report (A/48/591), are relevant to the points raised in paragraph 10 of the position paper.

7. The communication from the Office of General Services to the Director of INSTRAW of 19 May 1993, referred to in paragraph 9 of the position paper, far from prejudging the outcome of the Task Force and Council deliberations, was a response to a legitimate inquiry by the Director concerning certain aspects of the potential implications of the proposal, in preparation for her participation in the Task Force.

8. With regard to the points raised in paragraphs 12 to 14, the Economic and Social Council decision is before the General Assembly in the relevant official records. It is fully quoted in the Secretary-General's report under this item (see A/48/591, para. 3). A final decision on the proposal is indeed the prerogative of the General Assembly. No steps have been taken by the Secretariat to prejudge the General Assembly's action. On the contrary, the Secretariat has undertaken its review of administrative, financial and legal implications, as specifically requested by the Council, and has endeavoured to consult the Dominican Republic on relevant issues within the scope of that decision, pending final action by the General Assembly.

9. The points raised in paragraph 15 concerning consultations with the Government of the Dominican Republic have been addressed in paragraphs 3, 4 and 8 above. The legal implications are addressed in paragraphs 9 to 11 of the Secretary-General's report.

10. As to the points raised in paragraphs 17 and 19, the rationale for the proposed redistribution of activities between New York and Santo Domingo is set out in paragraph 7 of the Secretary-General's report. Paragraphs 13 and 14 of his report are also relevant in this regard.

11. The communication from the Director of UNIFEM to the United Nations Development Programme resident representatives, referred to in paragraph 18 of the position paper, was intended to provide a factual account, following the adoption of Economic and Social Council decision 1993/235, of the outcome of the Task Force deliberations and the Council's action thereon, in response to requests from resident representatives for information which would enable them to respond to inquiries on the matter. Responding to such inquiries is fully within the mandate of UNDP field offices, "Women and development" being one of the priority themes approved by the Governing Council.

12. The issues raised in paragraphs 22 and 23 concerning the contribution of the Dominican Republic have been fully acknowledged by the Secretary-General in his communication with the Dominican authorities at the highest level, in the Task Force and in the Secretary-General's report to the General Assembly, which stresses the importance of building on that contribution and sets out specific proposals to this effect.

13. With regard to paragraphs 24 to 26, the arrangements set out in the Secretary-General's report have been designed to maintain the comparative advantages, characteristics and distinct identities of the two entities, while serving to reinforce the linkages and commonalities of their respective programmes. They are specifically aimed at maximizing the support which the two programmes can provide to the preparation of the Fourth World Conference on Women and its follow-up. The overall intention is to contribute to the achievement of a stronger and more unified programme for the advancement of women within the United Nations as a whole. It is in this context, and in response to a specific mandate from the Economic and Social Council that the Secretary-General has prepared and submitted his report for consideration and action by the General Assembly at its current session.